

United States District of Massachusetts.

(Plaintiff)

Benjamin Clay jr.

V.

(Defendants.)

Mr. Micheal I Bellotti, Individually and as Sheriff
of Norfolk County Jail.

Mr. Garard Horgan, Individually and as the
Supertindent of Norfolk County jail .

Mr. Bob Boonhower, Individually and as the
(A.D.S.) of Norfolk County Jail . Ms. D Boonhower,
Individually and as Deputy of Classification. At the
Norfolk County Jail. Mr, (Capt)— VITO , Individually
And as a Captain of the Norfolk County Jail . Mr.
Dimoniaco , Mr. Fernadez , Individually and as officer .
Of Norfolk County Jail. Mr. S. Kelley , Individually and
as officer of Norfolk county Jail . Mr. Saccoccio, Indivi
dually And as officer of Norfolk County Jail . Mr. Pepdjonovic,
Individually and as officer of Norfolk County Jail. Mr. Kemmie
Devlin, Individually and as maintence officer of Norfolk County
Jail. Mr. Steve Randall , Individually and as maintence officer
of Norfolk County Jail.

FILED
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U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL

COMPLAINT.

Jurisdiction.

1. This court has jurisdiction over this matter pursuant to 28 U.S.C. ~ 1915.
2. This court has jurisdiction over this matter pursuant to 42 U.S.C. ~ 1983.

PARTIES.

1. The Plaintiff is the person in the above—caption matter.
2. The Defendant, Mr. Michael I Belloti, the Sheriff of Norfolk County Jail . In the Town of Dedham
3. The Defendant , Mr. Garard Horgan. The Supertindent of Norfolk County Jail. In the Town of Dedham.
4. The Defendant Bob Boonhower, The Deputy –Supt, of Norfolk County jail. In the Town of Dedham.
5. The Defendant D Boonhower. The Assistant Deputy of Classifacation at Norfolk County Jail. In the Town of Dedham.
6. The Defendant Mr. Vito, the captain and officer of Norfolk County Jail In the Town of Dedham.
7. The Defendant, Mr. Gannon the c/o– officer of Norfolk County Jail. In the Town of Dedham.
8. The Defendant , Mr. Delmonico and Mr. Fernadez. c/o’s officers of Norfolk County Jail. (7am/3pm.) shift, In the Town of Dedham.
9. The Defendant, Mr. Sean Kelley, The c/o officer of Norfolk County Jail. (2nd/shift .) 3pm/11pm. In the Town of Dedham.
10. The Defendant, Mr . Saccocio, The c/o officer of Norfolk County Jail. (2nd/shift.) 3pm /11pm. In the Town of Dedham.
11. The Defendant, Mr. Pepdjonovic. The c/o officer of Norfolk County Jail. (7pm /3pm.) shift. In the Town of Dedham .
12. The Defendants , Mr. Kemie Devlin . Mr. Steve Randall. The c/o– Maintenance workers of Norfolk County Jail. In the Town Dedham.

Statement of Facts.

1. On or about December 2013 , The (Plaintiff.) did inform the (Defendants.) C/o officers of the 1st.- shift , (Mr. A Delmonico and Mr. Fernandez.) that their was a very dangerous, and defective (“ Rug Runner Rubber”.) that was in the front of (cell# 03) and 04 # the (Max unit.) of Norfolk county Jail.
2. On or about December 2013, the (Plaintiff.) did inform the (Defendants.) 2nd—shift/ c/o ‘s . Mr. Sean Kelley and Mr. Saccocio. That their was an (De-fective Rug Runner.) In front of (cell# 03) and (cell#04).
3. On or about December 2013, the (Plaintiff.) did inform the (Defendant) c/o officer . Mr. Pepdjonovic, that there is an (Defective Rug Runner.) in front of (cell #03 and #04.).
4. On or about February of 2014, the Defendant Ms. D. Boonhowser. The (A.D.S.-Of Classification.) at Norfolk County Jail . Did move an (“ High risk inmate.”) by the name of (Christopher Ajean.) into the (Plaintiffs.) cell 03# in (max –unit.) of the Norfolk county jail . (this inmate had a highly known charge of ‘ RAPE ’).
5. On or about March of 2014, while in the (cell#03) the (Plaintiff.) and this “High Risk ” Mr. Ajean. The inmate (Mr . Kopetis.) came into the cell threat-ing bodily harm to inmate . Mr. Ajean, The (Plaintiff.) asked inmate Kopetis to please leave his cell. Once outside of the (cell #03) in between (cell#04) the inmate Kopetis, did strike the (Plaintiff.) in the face a couple of times. As an result of this the plaintiff step back , placing his ‘right leg’ on the (Defective Rug Runner.) which caused the injury to the Plaintiffs leg.

Statement of Facts / Can't. #2

6. On March 30, 2014. the c/o officer Gannon . Did notified the change of command that their was still an (“ Defective Rug Runner.”) in the Max—unit . In front of the (cell #03 and cell#04.) This was done thru the employees of Norfolk County Jails , Policy’s and procedures. (i.e. calling maintence to report the issue.)
7. On April 1, 2014. the (Defendant—R. Boonhower.) states in an internal report that ; “ Rubber Runner has not bend document ed as ‘Defective’ in any institu-tional report”. Also some time later the (Defendant— R. Boonhower.) then writes that he spoken to (Defendants—K. Devlin & Steve Randall.) of main-tence about whether their ever was an “speedy report” done or received by their department. Prior to this Incident ? Then he states or seems to say that he “will generate” one ! (See attached Grievance report sheet.)
8. On April of 2014, the (Plaintiff.) was token to the dentist in the facility. To have two front teeth remove , due to their becoming loose from the fight. And the hos-pital did not want to proceed with the repair surgery of my right knee. With the teeth being loose.
9. On or about May of 2014, the (Plaintiff.) was taken to Shattuck Prison Hospital To have major knee repair surgery. (Corrective knee cap placement and liga-ments re- attachment.)
10. On or about April of 2014 , the (Plaintiff.) was on (Max-unit.) at Norfolk county jail. When the (Defendant.) Supt—H. Horgan. Came to the unit for gen-eral inspections rounds . Were the (Plaintiff.) spoke to the (Defendant) H.Horgan. And showed him the (Defective Rug Runner.) in front of cell#03 and cell# 04.
11. On March of 2015, the (“Defective Rug Runner.”) was finally fixed with the naintence staff officers simply (“Gluing”) the defective slab runner, to the floor. (i.e. Almost a “YEAR” later after the “Plaintiff” first reported it...)

STATEMENT OF FACTS.#03.

12. As a result of all the (Defendants .) in this complaints , Direct ‘ Deliberate Indifference’ and Conscious and Wanton Reckless Disregard of the probable Risk of bodily Injury. Or harm to any prisoner or staff. (Due to this “Defective Rug Runner.”)

Which the (Plaintiff.) did inform multiple Norfolk County Jail— employees. Either directly or thru there subordinates. If a professional has violated an (Inmate’s Civil Rights,) Deliberate Indifference occurs when a professional knows of and disregards an excessive risk to an Inmate’s “ Health or Safety.” A prison employee who act with Deliberate Indifference to the inmates safety Violate the Eight Amendment. See; Billman v Indiana dept of corrections, 56 F.3D 785,788 (7th Cir.Ind.1995.)

WHEREFORE: The Plaintiff ask that this Honorable Court allow this (Civil Complaint.) Pursuant to the Federal Civil Rules (Rule 15. (A).(c) (ii). The Plaintiff, Request an judgment against the Defendants. In the amount of Twenty Five Thousand Dollars (Per Defendant). For punitive damages in the amount of Ten Thousand Dollars. (Per Defendants). For the future medical rehabilitation of the (plaintiffs.) “damage knee”, Also for the future Dental repairs to the (Plaintiffs) teethes. The future losses of “union wages” of (\$55.00/ dollars.) hourly. (Local 11#.) Which the (Plaintiff) has been a member since (May/2009.) For the next (Ten to Twenty Years.) of (“ Union Wages.”). Which the (Plaintiff.) would of earned . That no longer can earn due to the lost of flexibility, and the ability to put weight onto damage knee. Which one must do to do this particular type of job. The (Plaintiff) also request this court make an judgment against the Punitive Damages and such other reliefs this court deems just...

{Sign} Mr. Benjamin Clay Pro'Se

{Name} Mr. Benjamin Clay Jr. (43264#)

200# West Street.

Dedham Mass, 02026

{Date} / /